IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

Go Airlines (India) Limited,
 	
          Petitioner,
   v.
 	
International Aero Engines, LLC,
 	
          Respondent.
	Misc. No. 1:23-cv-00249-RGA

<u>EXHIBITS B AND C TO</u>
<u>DECLARATION OF BRIAN M. ROSTOCKI</u>

Exhibit B

Go First insolvency: NCLAT to pass order on aircraft lessors' petitions on May 22

Tuesday, 16 May 2023 | PTI | New Delhi

The National Company Law Appellate Tribunal will pass its order on May 22 on petitions filed by three aircraft lessors against Go First's voluntary insolvency resolution proceedings.

A two-member bench headed by Chairperson Justice Ashok Bhushan on Monday reserved its order after completing the hearing on the three petitions.

The bench also asked the parties to submit additional documents, if any, in the next 48 hours.

The appellate tribunal was hearing a batch of petitions filed by SMBC Aviation Capital Ltd, GY Aviation and SFV Aircraft Holdings.

All three lessors have leased out around 21 aircraft to Go First.

During the proceedings, senior advocate Arun Kathpalia representing SMBC Aviation submitted it has terminated the lease prior to the commencement of the Corporate Insolvency Resolution Process (CIRP) of Go First.

"Their right on lease has gone," he said, adding that as per the Cape Town Conventions, there is a protocol for DGCA to cancel the lease in five working days.

India is also a signatory and it has to be done by DGCA without taking consent from Go First.

"They cannot fly and operate it," he said.

Kathpalia also added there was a difference between the lease of Jet Airways and Go First. One was on a financial lease model, while the other had an operational lease.

"Court can not prevent our right which was pre-CIRP," he added.

Senior advocate Krishnendu Datta, appearing for another lessor, said the CIRP was a smoke screen for Go First.

It was a well-planned move. There was no financial default and by suspending the flight operations, an urgency was created by the Wadia group firm.

Senior Advocate Ramji Srinivasan, representing the Interim Resolution Professional, said the notice of termination of lease by the lessors was a way to defeat the insolvency proceedings as they should not have taken that step once the case was before the NCLT.

Senior Advocate Maninder Singh, representing Go First, said the airline was having a tough time and it was compelled to voluntary file for insolvency.

So far this month, several lessors have approached aviation regulator DGCA for deregistration and repossession of Go First's 45 planes.

Go First stopped flying from May 3.

Last week the Delhi-based principal bench of the NCLT appointed an interim resolution professional to look after the affairs of Go First and also suspended its board as part of the insolvency resolution process.

Exhibit C

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